



State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY**  
**SP-2003- 19**

September 12, 2003

Rachel T. Poulin, Trustee  
Rachel T Poulin Rev. Trust  
10 Quarry Dr  
Rochester, NH 03867

RE: DES Wetlands File #2001-02407 Damon Shore Lane, Alton

Dear Ms. Poulin:

On August 18, 2003, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Alton Tax Map 46 as Lot 18 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and RSA 483-B, The Comprehensive Shoreland Protection Act. During the inspection the following deficiencies were documented:

An illegal deck was observed with approximate dimensions of 10.5 ft by .5 ft on the shoreline.

2. A healthy, well distributed stand of 7 saplings were removed on the north side of the stairs within the protected shoreland, violating RSA 483-B, the Comprehensive Shoreland Protection Act.

In response, you are requested to take the following actions:

1. Within 30 days of receipt of this Letter of Deficiency, submit a restoration plan to DES. The plan should include replacement of all 7 native saplings on the north side of the stairs and the complete removal of the illegal deck on the shoreline of Lake Winnepesaukee. Please submit the following with the restoration plan:

- a. A plan with dimensions, drawn to scale, showing:
  1. Existing conditions; and
  2. Proposed conditions after restoration with native seedlings and removal of the deck.
- b. A detailed description of the proposed means of erosion control (silt fence, hay bales, etc) and stabilization of the restoration area;
- c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area. A planting plan showing the number, type of plant species, proposed location of plantings, and diameters of the plant species at breast height. Saplings should be a minimum of 4-6 feet in height and all plantings should be from the list of New Hampshire native and naturalized species. Saplings should be planted in the same location as those previously removed.
- d. A description of the proposed construction sequence and methods for accomplishing restoration, and the anticipated time frame for completion.

f. A provision to provide for 100% survival after 5 full growing seasons.

2. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 483-B, the New Hampshire Comprehensive Shoreland Protection Act, was enacted to protect and preserve the shorelands of the State to maintain the integrity and exceptional quality of the State's public waters. RSA 483-B and Env-Ws 1400-1409 establish minimum standards for the future subdivision, use, and development of the shorelands within 250 feet of the state's public waters.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Mary Ann Tilton, Senior Enforcement Officer  
Wetlands Bureau  
Department of Environmental Services  
6 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-2147.

Sincerely,

**COPY**  
Collins G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL 7002 3150 0001 5411 1661

cc: Rene Pelletier, Manager, Land Resources Management Program  
Gretchen Rule, Administrator, DES Legal Unit  
Alton Conservation Commission  
Alton Board of Selectmen  
David Killoy, USACOE